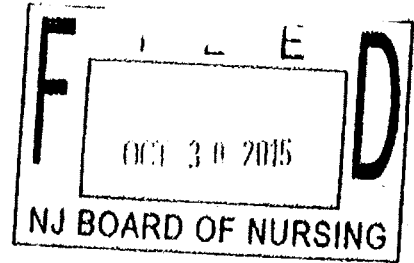
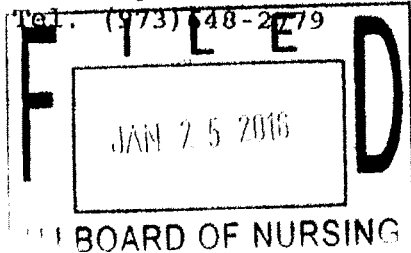


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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF THE LICENSE OF

Charisse F. Oakes, C.H.H.A.
Certificate No. 26NH13394900

HOMEMAKER HOME HEALTH AIDE
IN THE STATE OF NEW JERSEY

ADMINISTRATIVE ACTION

PROVISIONAL ORDER OF
DISCIPLINE

☒ FINAL ORDER OF DISCIPLINE
(Finalized by default
on January 25, 2016 / 01/25/16)

FINAL

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Charisse F. Oakes ("Respondent") is a certified homemaker-home health aide in the State of New Jersey and has been a licensee at all times relevant hereto. (Exhibit A).

2. On May 18, 2015, the Board received a complaint from Respondent's employer, Home & Hospital Medical Personnel Inc., regarding allegations of patient abandonment. Specifically it was alleged that Respondent abandoned her patient on May 10, 2015 at 2:30pm, arrived back at the home on May 11, 2015 at 2:30am, only to retrieve her personal items, and then left again. The patient was discovered by a family member on May 11, 2015 at 12:00pm, still in bed from the previous night. Patient is 85 years old, suffers dementia, has a history of stroke, and requires assistance for numerous daily tasks. (Exhibit B).

3. Sharyn Titus, Director of Nursing for Home & Hospital Medical Personnel Inc., spoke with Respondent by telephone on May 12, 2015. Respondent admitted she abandoned the patient and stated she knew she should not have done that. (Exhibit B).

4. In response to the above complaint, the Board sent Respondent a Demand for Written Statement Under Oath. The Board received a response from Respondent on June 17, 2015. Respondent admitted she left her patient alone for over 12 hours. Respondent stated that she was upset over a death in the family and was not in her right frame of mind. (Exhibit C).

CONCLUSIONS OF LAW

The Board has determined that Respondent's admission to patient abandonment constitutes professional or occupation

misconduct which provides grounds for disciplinary action in this state pursuant to N.J.S.A. 45:1-21(e).

ACCORDINGLY, IT IS on this 30th day of October, 2015,
ORDERED that:

1. Upon the filing of a FINAL ORDER OF DISCIPLINE, Respondent's certificate to practice as a homemaker-home health aide shall be suspended for a period of five (5).

2. Upon the filing of a FINAL ORDER OF DISCIPLINE Respondent is assessed a civil penalty in the amount of one thousand dollars (\$1,000). Payment shall be made by certified check, bank cashier check, or money order payable to "State of New Jersey," or by wire transfer, direct deposit, or credit card payment delivered or mailed to Twalema Khonje, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making the payment. Payment shall be made no later than fifteen (15) days after the date of filing of a FINAL ORDER OF DISCIPLINE. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

3. Prior to any application for reinstatement of her certification, Respondent shall appear before the Board or a committee thereof to discuss her readiness to reenter practice

as a homemaker-home health aide. At that time Respondent shall be prepared to propose her plans for future practice in New Jersey and demonstrate that she is fit and competent to practice and has been rehabilitated to the Board's satisfaction.

4. If Respondent's certification as a homemaker-home health aide is reinstated, the Board, in its discretion, may impose any conditions or restrictions on licensure it deems necessary to protect the public health, safety and welfare.

5. Upon the filing of a FINAL ORDER OF DISCIPLINE, Respondent shall refrain from engaging in the practice as a homemaker-home health aide and shall not represent herself as a homemaker-home health aide until such time as her certification is reinstated. Any practice in this State prior to such reinstatement shall constitute grounds for a charge of unlicensed practice.

6. Upon the filing of a FINAL ORDER OF DISCIPLINE, Respondent shall, within 5 (five) days, mail her certificate, wall and wallet version, to practice as a homemaker-home health aide to Twalema Khonje, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101.

7. The within order shall be subject to finalization by the Board at 5:00 p.m. on the 30th day following entry hereof unless Respondent requests a modification or dismissal of the above stated Findings of Fact or Conclusions of Law by:

- a) Submitting a written request for modification or dismissal to Twalema Khonje, State Board of Nursing, 124 Halsey Street, Sixth Floor, P.O. Box 45010, Newark, New Jersey 07101.
- b) Setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed.
- c) Submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor or offered in mitigation of penalty.

8. Any submissions will be reviewed by the Board and the Board will thereafter determine whether further proceedings are necessary. If no material discrepancies are raised through a supplemental submission during the thirty-day period, or if the Board is not persuaded that the submitted materials merit further consideration, a FINAL ORDER OF DISCIPLINE will be entered.

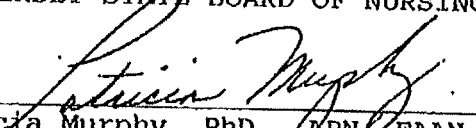
9. In the event that Respondent's submissions establish a need for further proceedings, including, but not limited to an evidentiary hearing, Respondent shall be notified with regard thereto. In the event that an evidentiary hearing is ordered, the preliminary findings of fact and conclusions of law contained herein may serve as notice of the factual and legal allegations in such proceeding. Further, in the event a hearing is held and upon review of the record, the Board shall not be limited to the findings, conclusions and sanctions stated herein.

10. In the event that the Board receives no written request for modification or dismissal within 30 days following entry of this Provisional Order, without further Board review, all referenced preliminary Findings of Fact and Conclusions of Law and all provisional sanctions or penalties imposed by this Order shall automatically become the Final Decision and Order of the Board. Thereafter, Respondent's failure to comply with any sanction or penalty imposed by this Order shall be considered a violation of a Board Order in contravention of N.J.S.A. 45:1-21 (e) and (h) and N.J.A.C. 13:45C-1.4 and may subject Respondent to additional sanction and/or penalty.

11. Any violation of this order by Respondent shall constitute grounds for such proceedings as are permitted by law.

NEW JERSEY STATE BOARD OF NURSING

By:


Patricia Murphy, PhD., RN, FAAN
President